

IN THE MATTER OF THE
THE APPLICATION OF
SHARON PIASKOWSKI
FOR A VARIANCE ON PROPERTY
LOCATED ON THE WEST SIDE
MACE AVENUE, 310' SOUTH OF
CENTERLINE GOLDEN RING ROAD
(1120 MACE AVENUE)
15TH ELECTION DISTRICT
6TH COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 91-259-A

OPINION

The Petitioner, Sharon Piaskowski, filed an appeal seeking to reverse the denial by the Deputy Zoning Commissioner of her request for variance to permit a two-apartment dwelling with a lot width of 42 feet at the front building line in lieu of the required 80 feet and a sum of the side yard setbacks of 25 feet in lieu of the required 35 feet, for a proposed addition. The Petitioner and her husband, Walter Piaskowski, Jr., appeared and testified as did their architect, Stephen Annis, Fidelity Architectural Group, 720 S. Montford Avenue, Baltimore, MD 21224. No protestants appeared or submitted opposition.

Testimony indicates that the subject property known as 1120 Mace Avenue consists of two existing dwelling houses attached to each other, consisting of 1,945 square feet, zoned D.R. 5.5. Petitioner's Exhibit No. 3, consisting of a Revised Plat to Accompany Petition for Zoning Variance Appeal and additional drawings and Area Data Sheet, illustrates the proposed addition with alterations to the existing front dwelling in which the Petitioners presently reside. Mr. Piaskowski suffers from Reiters Syndrome which is described as an arthritic disease involving arthritis and deterioration of the joints and heart valves. Within the last few years, he has had an artificial heart valve implant, has suffered arthritic pain to such a degree that at times he is unable to negotiate the stairs in the dwelling, must use a walker

Case No. 91-259-A Sharon Piaskowski

to navigate within the house, and presently takes four different medications for his medical conditions. A letter from Dr. Mary Betty Stevens was admitted as Petitioner's Exhibit No. 2 confirming his medical conditions. Mr. Piaskowski testified that his disease will progressively worsen to the point that at some time in the future he will be wheelchair bound. Because of this prognosis, and the structure of the present dwelling with its narrow stairways and hallways, Mr. Piaskowski envisions the necessity of major revisions in order to continue to occupy his present dwelling. As it is, Mr. Piaskowski, his wife, and two children occupy an existing dwelling containing only 602 square feet of living space. As a result, he and his wife engaged the services of Mr. Annis to design a dwelling that will meet State mandated guidelines for handicapped individuals, including square footage area requirements, wheelchair ramps, lowered sinks and counters, lowered light switches, and other amenities so that when Mr. Piaskowski becomes wheelchair bound he will be able to independently live on the first floor of the proposed dwelling. Mr. Piaskowski's doctor as well as the members of this Board applaud his forward-looking attitude toward maintaining his continued independence.

In order to accommodate the dwelling as proposed, Petitioner, Sharon Piaskowski, the record owner of the land, requests a variance of 42 feet at the front building line in lieu of the required 80 feet and a sum of the side yard setbacks of less than the required 35 feet. The Piaskowski's testified that they intend to remove the rear house which is an existing frame building and replace it with the proposed dwelling as illustrated in Petitioner's Exhibit No. 3. After completing the renovations, they

Case No. 91-259-A Sharon Piaskowski

intend to move into the new dwelling and then renovate the existing front dwelling so that it will become a one-family unit dwelling. These two uses taken together would constitute a two-apartment dwelling which, according to the zoning regulations, as testified to by Mr. Annis, would require a lot width of 80 feet at the front building line. As shown on page 2 of Petitioner's Exhibit No. 3, the building setback of the existing dwelling which will not be replaced is approximately 42 feet wide. Since the time of the hearing before the Zoning Commissioner, the plat and the size of this proposed structure have been reduced so that now there is a setback of 21-1/2 feet from the edge of the existing front dwelling's western-most wall which when added to the 12 feet existing between the front existing dwelling's western-most wall and the west property line equals 32-1/2 feet. According to the revised plat, which is part of Petitioner's Exhibit No. 3, there is a 10-foot setback on the northeast side of the proposed dwelling between that dwelling and the northeastern property line. It appears as a result of this revision that a variance is not necessary since the sum of the side yard setbacks now is equal to or greater than the required 35 feet. But, in any event, as discussed below, if a variance is still required we believe that it should be granted.

An area variance may be granted when strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. After consideration of the testimony and evidence presented, we find as a fact that practical difficulty and undue hardship exist to the Petitioner and his property if strict compliance with the zoning regulations is required. Strict

IN RE: PETITION FOR ZONING VARIANCE
W/S Mace Avenue, 310' S of the
c/l of Golden Ring Road
(1120 Mace Avenue)
15th Election District
6th Councilmanic District

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 91-259-A

Sharon Piaskowski
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a two apartment dwelling with a lot width of 42 feet at the front building line in lieu of the required 80 feet and a sum of the side yard setbacks of 25 feet in lieu of the required 35 feet, for a proposed addition in accordance with Petitioner's Exhibit 1.

The Petitioner, by her husband, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 1120 Mace Avenue, consists of 10,950 sq.ft. zoned D.R. 5.5 and is improved with a one story dwelling. Petitioners are desirous of constructing a large addition to the rear of the existing dwelling as depicted on Petitioner's Exhibit 1. While the testimony presented by Mr. Piaskowski indicated the proposed addition would be three-stories high, the information depicted on Petitioner's Exhibit 1 indicates the proposed addition will be two-stories high. Mr. Piaskowski testified the addition is proposed to be added to the existing one-story dwelling to provide needed living space. Mr. Piaskowski indicated the subject dwelling is currently occupied by two families, Mr. & Mrs. Piaskowski and their two children, and another family. He testified that currently there is insufficient room on the property for his family and the proposed addition is needed to provide more habitable

ORDER RECEIVED FOR FILING
Date 3/16/91
By [Signature]

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-259-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 402.1 to allow a 2 apt. dwelling with a lot width of 42 ft. at the front bldg. line and a sum of side yard setbacks of 25 ft. in lieu of the required 80 ft. and 35 ft., respectively.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

THAT CONFORMANCE WOULD REDUCE SITE US-UsABLE
THE INTENDED ZONED USE. FOR THE ADJUST TO USE
THE PROPERTY FOR ITS PERMITTED USE.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Sharon Piaskowski
(Type or Print Name)
Signature: Sharon Piaskowski
Address: (Type or Print Name)
City and State: Signature
Attorney for Petitioner: 1120 Mace Avenue 574-9270
(Type or Print Name) Address Phone No.
Signature: Date No. 2/11/91
City and State: Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Address: Name
City and State: Address Phone No.

Ordered By The Zoning Commissioner of Baltimore County, this 28 day of Nov 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 13 day of Feb 1991, at 2 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County
(over)

space. Mr. Piaskowski at one point indicated Petitioners were desirous of having three families reside on the property.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, there is insufficient evidence to allow a finding that the Petitioners would experience practical difficulty or unreasonable hardship if the requested variance were denied. The testimony presented by Petitioners was in support of a matter of preference rather than of the necessity for the variance. The Petitioners failed to show that a denial of the variance would result in practical difficulty or unreasonable hardship for them or that strict compliance would unreasonably prevent the use of the property or be unnecessarily burdensome. Further, the proposed addition appears to be too large for the site. Therefore, the variance requested must be denied.

ORDER RECEIVED FOR FILING
Date 3/16/91
By [Signature]

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 6th day of March, 1991 that the Petition for Zoning Variance to permit a two apartment dwelling with a lot width of 42 feet at the front building line in lieu of the required 80 feet and a sum of the side yard setbacks of 25 feet in lieu of the required 35 feet for a proposed addition in accordance with Petitioner's Exhibit 1, be and is hereby DENIED.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

ORDER RECEIVED FOR FILING
Date 3/16/91
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

March 6, 1991

Ms. Sharon Piaskowski
1120 Mace Avenue
Baltimore, Maryland 21221

RE: PETITION FOR ZONING VARIANCE
W/S Mace Avenue, 310' S of the c/l of Golden Ring Road
(1120 Mace Avenue)
15th Election District - 6th Councilmanic District
Sharon Piaskowski - Petitioner
Case No. 91-259-A

Dear Ms. Piaskowski:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

Ann M. Nastarowicz
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: People's Counsel

File

91-259-A

ZONING DESCRIPTION

BEGINNING AT A POINT ON THE WEST SIDE OF MACE AVENUE WHICH IS 60'-0" WIDE AT THE DISTANCE OF 310'-0" SOUTH OF THE CENTERLINE OF THE NEAREST IMPROVED INTERSECTING STREET, MACE AVENUE, WHICH IS 50'-0" WIDE BEING LOT #4, IN THE MILLER SUBDIVISION AS RECORDED IN BALTIMORE COUNTY PLAT BOOK # 37, FOLIO # 105, CONTAINING 10,950 SQUARE FEET. ALSO KNOWN AS 1120 MACE AVENUE AND LOCATED IN THE 15TH ELECTION DISTRICT

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15th Variance Date of Posting: 1/28/91
Posted for: Sharon Piaskowski
Petitioner: Sharon Piaskowski
Location of property: W/S Mace Ave. 310' S of Golden Ring Rd.
1120 Mace Ave.
Location of Sign: Facing Mace Ave. across 10' Easement way
on property of Baltimore
Remarks:
Posted by: [Signature] Date of return: 2/14
Number of Signs: 1

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1/17, 1991.

NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER

S. Zeke Orlem
Publisher

\$ 75.18
66.34

CERTIFICATE OF PUBLICATION

TOWSON, MD., 1-18, 1991

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1-17, 1991.

THE JEFFERSONIAN,

S. Zeke Orlem
Publisher

\$ 66.34

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15th Appeal Date of Posting: 5/3/91
Posted for: Sharon Piaskowski
Petitioner: Sharon Piaskowski
Location of property: W/S Mace Ave. 310' S of Golden Ring Rd.
1120 Mace Ave.
Location of Sign: Facing Mace Ave. across 10' Easement way
on property of Baltimore
Remarks:
Posted by: [Signature] Date of return: 5/10/91
Number of Signs: 1

Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number: 3675

Date: 11-2-90

Residential Variance Filing Fee
Sharon Pias Kowski
1120 Mace Ave. 21221
\$ 35.00

Cashier Validation: Please make checks payable to: Baltimore County

04A04W0132MCHRC
BA C012133PM11-02-90 \$35.00

Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number: 3818

Date: 11/02/90

PUBLIC HEARING FEES
910 ZONING VARIANCE (IRL) 1 X \$35.00
TOTAL: \$35.00

LAST NAME OF OWNER: PIASKOWSKI

Cashier Validation: Please make checks payable to: Baltimore County

Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number: 91-259-A

Date: 91-259-A

Public Hearing Fees
910 ZONING VARIANCE (IRL) 1 X \$35.00
TOTAL: \$35.00

LAST NAME OF OWNER: PIASKOWSKI

Cashier Validation: Please Make Checks Payable To: Baltimore County

04A04W0132MCHRC
BA C012133PM11-02-90 \$35.00

Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number: 91-259

Date: 91-259

Public Hearing Fees
910 ZONING VARIANCE (IRL) 1 X \$35.00
TOTAL: \$35.00

LAST NAME OF OWNER: PIASKOWSKI

Cashier Validation: Please Make Checks Payable To: Baltimore County

04A04W0132MCHRC
BA C012133PM11-02-90 \$35.00

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: 1/29/91

Sharon Piaskowski
1120 Mace Avenue
Baltimore, Maryland 21221

RE:
Case Number: 91-259-A
W/S Mace Avenue, 310' S of c/l Golden Ring Road
1120 Mace Avenue
15th Election District - 6th Councilmanic
Petitioner(s): Sharon Piaskowski
HEARING: WEDNESDAY, FEBRUARY 13, 1991 at 2:00 p.m.

Dear Petitioner(s):

Please be advised that \$ 91.34 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

January 8, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-259-A
W/S Mace Avenue, 310' S of c/l Golden Ring Road
1120 Mace Avenue
15th Election District - 6th Councilmanic
Petitioner(s): Sharon Piaskowski
HEARING: WEDNESDAY, FEBRUARY 13, 1991 at 2:00 p.m.

Variance to allow a two apartment dwelling with a lot width of 42 ft. at the front building line and a sum of side yard setbacks of 25 ft. in lieu of the required 80 ft. and 35 ft., respectively.

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Sharon Piaskowski

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

February 1, 1991

Ms. Sharon Piaskowski
1120 Mace Avenue
Baltimore, MD 21221

RE: Item No. 196, Case No. 91-259-A
Petitioner: Sharon Piaskowski
Petition for Zoning Variance

Dear MS. Piaskowski:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw
Enclosures

Your petition has been received and accepted for filing this
28th day of November, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:
James E. Long
Chairman,
Zoning Plans Advisory Committee

Petitioner: Sharon Piaskowski
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
DATE: December 3, 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Edith May Souza, Item No. 166
Earlie E. and Linda R. Towe, Item No. 170
Roland H. and Darlene Farlow, Item No. 171
Kwan Woo Lee, Item No. 173
Harry E. Belsinger, et al., Item No. 175
Gary D. and Kathleen M. Stewart, Item No. 178
Dale A. and Cheryl Poletynski, Item No. 181
Bruce D. and Mary V. Frith, Item No. 182
Eileen C. Misler, Item No. 183
William M. and Constance M. Pitcher, Item No. 185
Key Federal Savings Bank, Item No. 186
Stephen D. and Wendy K. Mooney, Item No. 189
Brian D. and Tullia Briscoe, Item No. 193
Charles Henry and Vickie Jean Wallis, Item No. 195
Sharon Piaskowski, Item No. 196
Gary E. Stahl, Item No. 199
Keith E. and Terri L. Yeager, Item No. 201
Robert E. and Deborah L. Jennings, Item No. 202
Gloria P. Brown, Item No. 203
Robert E. and Karen F. Ege, Item No. 207
Javad Darbandi, Item No. 208
Thomas D. and Jeannette Considine, Item No. 209
Helen M. Yingling, Item No. 214

In reference to the Petitioners' requests, staff offers no
comments.
If there should be any further questions or if this office can
provide additional information, please contact Jeffrey Long in the
Office of Planning at 887-3211.

PK/JL/cmm
ITEMS MUL.TPL/ZAC1

received
12/10/90

November 28, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers,
177, 181, 182, 186, 189, 193, 194, 195, 196, 199, 201, and 202.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lab

received
12/13/90

NOVEMBER 28, 1990

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: SHARON PIASKOWSKI

Location: #1120 MACE AVENUE

Item No.: 196 Zoning Agenda: NOVEMBER 27, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by
this Bureau and the comments below are applicable and required to be
corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site
shall comply with all applicable requirements of the National Fire
Protection Association Standard No. 101 "Life Safety Code", 1988
edition prior to occupancy.

REVIEWER: *Paul H. Reincke* Noted and
Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/KEK

received
11/29/90

APPEAL

Petition for Zoning Variance
W/S Mace Avenue, 310' S of the c/l of Golden Ring Road
(1120 Mace Avenue)
15th Election District - 6th Councilmanic District
SHARON PIASKOWSKI - Petitioner
Case No. 91-259-A

Petition for Zoning Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel (None submitted)

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments

Petitioner's Exhibits: 1. Plat to accompany petition

Deputy Zoning Commissioner's Order dated March 6, 1991 (Denied)

Notice of Appeal received March 27, 1991 from Stephen G. Annis for his
client's Walter and Sharon Piaskowski

cc: Walter and Sharon Piaskowski
1120 Mace Avenue, Baltimore, Maryland 21221

Stephen G. Annis, President - Fidelity Architectural Group, Inc.
720 S. Montford Avenue, Baltimore, Maryland 21224

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
J. Robert Haines, Zoning Commissioner
Ann M. Nastarowicz, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
M. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Chief Deputy County Attorney
Public Services

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
NOVEMBER 15, 1990

received
11/21/90

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING

FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF
PERMITS & LICENSES

SUBJECT: ZONING ITEM #: 196
PROPERTY OWNER: Sharon Piaskowski
LOCATION: W/S Mace Ave., 310' S of centerline Golden Ring
Road (#1120 Mace Avenue)
ELECTION DISTRICT: 15th
COUNCILMANIC DISTRICT: 6th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE
FOLLOWING:

- () PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF
MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE
HANDICAPPED.
- () PARKING LOCATION () RAMPS (degree slope)
- () NUMBER PARKING SPACES () CURB CUTS
- () BUILDING ACCESS () SIGNAGE
- () PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE
SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT
BALTIMORE COUNTY BUILDING CODE.
- () A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN.
SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE
REQUIRED.
- () A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING
USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND
ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE
TO COMPLY TO NEW USE REQUIREMENTS. From R-3 to R-2 Use groups.
- () STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0
COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).

OTHER - Comply to Town and requirements of Table 401,
SECTION 103.2.3 & 1018.3.5 in addition to normal residential
code requirements. A zoning permit is required to remove the exist.
permits may be applied for @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, Bldg.
TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN. A
FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE
SUBMITTED.

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee
DATE: November 27, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for November 27, 1990

The Developers Engineering Division has reviewed
the subject zoning items and we have no comments for
items 177, 181, 182, 186, 189, 193, 194, 195, 199,
201 and 202 and 91-90 X (Baltimore County General
Hospital).

For Item 93-revised (Baptist Home of Maryland), a
County Review Group Meeting may be required for these
improvements.

For Item 196, a County Review Group Meeting may be
required.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:s

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

April 25, 1991

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Zoning Variance
W/S Mace Avenue, 310' S of the c/l of Golden Ring Road
(1120 Mace Avenue)
15th Election District, 6th Councilmanic District
SHARON PIASKOWSKI - Petitioner
Case No. 91-259-A

Dear Board:

Please be advised that an appeal of the above-referenced case was
filed in this office on March 27, 1991 by Stephen G. Annis for his
clients. All materials relative to the case are being forwarded
herewith.

Please notify all parties to the case of the date and time of the
appeal hearing when it has been scheduled. If you have any questions
concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. ROBERT HAINES
Zoning Commissioner

JRH:cer

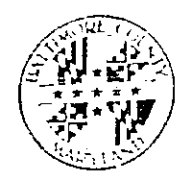
Enclosures

cc: Walter and Sharon Piaskowski
1120 Mace Avenue, Baltimore, Maryland 21221

Stephen G. Annis, President - Fidelity Architectural Group, Inc.
720 S. Montford Avenue, Baltimore, Maryland 21224

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

File



County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

Hearing Room -
Room 301, County Office Bldg. May 9, 1991

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 91-259-A
SHARON PIASKOWSKI
W/s Mace Ave., 310' S of c/l of Golden
Ring Road (1120 Mace Avenue)
15th Election District
6th Councilmanic District
VAR-Lot width & setbacks
3/6/91 - D.Z.C.'s Order DENYING Petition.

ASSIGNED FOR: FRIDAY, AUGUST 9, 1991 AT 1:00 P.M.

cc: Mr. and Mrs. Walter Piaskowski Petitioners/Appellants

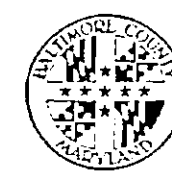
Stephen G. Annis, Pres.-Agent for
Fidelity Architectural Group, Inc.

People's Counsel for Baltimore County
P. David Fields
Pat Keller
Public Services
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Chief Deputy County Attorney

Lindalee M. Kuszmaul
Legal Secretary

5/9/91 - Following parties notified of hearing set for August 9,
1991 at 1:00 p.m.:

Mr. and Mrs. Walter Piaskowski
Stephen G. Annis, Pres.
Fidelity Architectural Group, Inc.
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Public Services
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Chief Deputy County Attorney



County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

August 28, 1991

Mr. Stephen G. Annis, President
Fidelity Architectural Group, Inc.
720 S. Montford Avenue
Baltimore, MD 21224

RE: Case No. 91-259-A
Sharon Piaskowski

Dear Mr. Annis:

Enclosed please find a copy of the final Opinion and Order
issued this date by the County Board of Appeals of Baltimore County
in the subject matter.

Sincerely,

Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
Administrative Assistant

encl

cc: Mr. & Mrs. Walter Piaskowski, Jr.
People's Counsel for Baltimore County
P. David Fields
Pat Keller
J. Robert Haines
Timothy M. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director
of Zoning Administration



County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

September 30, 1991

Stephen G. Annis, President
Fidelity Architectural Group, Inc.
720 S. Montford Avenue
Baltimore, Maryland 21224

Re: Case No. 91-259-A (Sharon Piaskowski)

Dear Mr. Annis:

As no further appeals have been taken regarding the subject
case, we have closed the file and returned same to the Office of
the Zoning Commissioner along with any exhibits entered before the
Board. The Zoning Commissioner's Office maintains the permanent
file. If you have an interest in said file or any exhibits
contained therein, please contact the Zoning Commissioner's Office
at 887-3353 immediately upon receipt of this letter. By copy of
this letter, all parties of record that may have an interest in
said file have been notified.

Sincerely,

Lindalee M. Kuszmaul
Lindalee M. Kuszmaul
Legal Secretary

cc: Walter and Sharon Piaskowski

Fidelity Architectural Group, Inc.
Architectural Designs & Renovations
Residential • Commercial • Institutional

720 S. MONTFORD AVENUE
BALTIMORE, MARYLAND 21224
(301) 887-3180

March 20, 1990

Baltimore County Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

Subject: Appeal of Petition for Zoning Variance Decision

RE: Case No. 91-259-A
Petitioner: Sharon Piaskowski
15th Election District
6th Councilmanic District
1120 Mace Avenue

Gentlemen:

By the wishes of my client, Walter and Sharon Piaskowski, our office is hereby filing an appeal
to the decision rendered in the above referenced case. This office will answer any questions you
may have relating to this appeal.

Attached is a check in the amount of \$175.00 to cover the fee and sign requirements.
Please advise us of the scheduled date of this Appeal Hearing as soon as possible.

Sincerely,

Stephen G. Annis
Stephen G. Annis
President

cc: Walter & Sharon Piaskowski
1120 Mace Avenue
Baltimore, Maryland 21221

*See 3/27/90
Zoning Office
Phone*

Fidelity Architectural Group, Inc.
Architectural Designs & Renovations
Residential • Commercial • Institutional

720 S. MONTFORD AVENUE
BALTIMORE, MARYLAND 21224
(301) 887-3180

April 26, 1991

Board of Appeals
111 W. Chesapeake Avenue
Towson, Maryland 21204

Subject: Appeal Date

RE: Case No. 91-259-A
Petitioner: Sharon Piaskowski
15th Election District
6th Councilmanic District
1120 Mace Avenue

Gentlemen,

By this letter, I am requesting the Board to grant my client an early Appeal Hearing for reason
that the medical condition of Mr. Piaskowski is a progression downward. He will soon be unable
to get around without the means of a wheel chair. By scheduling his hearing at an earlier time,
and upon a favorable decision by the Board, the project could be completed while Mr. Piaskowski
is in an active state.

Thank you for your consideration in this matter.

Sincerely,

Stephen G. Annis
Stephen G. Annis
President

cc: Walter & Sharon Piaskowski
1120 Mace Avenue
Baltimore, Maryland 21221

THE JOHNS HOPKINS UNIVERSITY
SCHOOL OF MEDICINE

DIVISION OF RHEUMATOLOGY

Please address reply to:
The Russell H. Morgan Building
Suite 207
5901 Lock Road Boulevard
Baltimore, Maryland 21229
(301) 512-4012

July 30, 1991

To Whom It May Concern:

This is to certify that Mr. Walter Piaskowski is a patient
under my care for his type of arthritis which has slowly pro-
gressed since its onset 15 years ago. Furthermore, as we have no
available cure for his disease, one must anticipate that it will
continue to worsen and increasingly limit his functional capac-
ity. Not only have his joints been involved but he has also had
heart involvement requiring heart valve replacement.

Mr. Piaskowski informs me that he wishes to modify his home
to accommodate his handicapped status. I applaud this effort and
his forward-looking attitude which are directed toward maintain-
ing his continued independence. I strongly urge that he not only
be granted approval for this plan but also encouraged to make the
necessary building changes which will be of increasing advantage
to his health.

Sincerely,

Mary Betty Stevens
Mary Betty Stevens, M.D.
Professor of Medicine

MBS:ls

LAW OFFICES
KODENSKI AND CANARAS
19 E. FAYETTE STREET
SUITE 301
BALTIMORE, MARYLAND 21202

MELVIN J. KODENSKI
BARRY T. CANARAS
CHRISTOPHER M. LEE

TELEPHONE (301) 685-9100
FAX (301) 685-9825

HIGHLANDTOWN OFFICE
412 S. HIGHLAND AVENUE
BALTIMORE, MARYLAND 21224
PHONE 563-9000

September 26, 1991

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
111 W. Chesapeake Avenue
Towson, Maryland 21204

re: Petition for Zoning Variance
Case No.: 91-259-A (1120 Mace Avenue)

Dear Sir or Madam:

The hearing in front of the Board of Appeals in this case was
had on August 9, 1991. I contacted your office during the first
week of September 1991, and was told that a decision would be
issued during the week of September 16, 1991.

I have not received a decision as of yet, and I am writing to
check on same. Please contact me upon receipt of this letter and
tell me when I can expect to receive the decision from the Board
of Appeals.

Very truly yours,

Christopher M. Lee
Christopher M. Lee

CML:mlp

cc: Walter Piaskowski

RECEIVED
SEP 20 1991
ZONING OFFICE

*4/24/91 - Telephoned Mr. Lee - to inform
contact the Board regarding
this matter.*

15th E.D.
6th C.D.

Variance to allow a two-apartment dwelling with a lot width of 42 feet at the front building line and a sum of side yard setbacks of 25 feet in lieu of the 40.6 feet and 35 feet, respectively.

Hearing scheduled for February 13, 1991 at 2:00 p.m.

ORDERED BY DEPUTY ZONING COMMISSIONER ANN M. NASTAROWICZ that the Petition for Zoning Variance to permit a two apartment dwelling with a lot width of 42 feet at the front building line in lieu of the required 80 feet and a 42 feet of the side yard setbacks of 25 feet in lieu of the required 35 feet sum of the side yard setbacks of Petitioner's Exhibit 1, be and is hereby DENIED.

Appeal filed by Stephen G. Annis for his clients.

Hearing scheduled for August 9, 1991 at 1:00 p.m.

ORDERED BY THE COUNTY BOARD OF APPEALS FOR BALTIMORE COUNTY that the Petition for Zoning Variance to permit a two-apartment dwelling with a lot width of 42 feet at the front building line in lieu of the required 80 feet and a sum of the side yards of less than 35 feet for a proposed addition in the rear of the subject property with Petitioner's Exhibit No. 3 and their testimony in support of the proposed plan to remove the existing frame building and renovate of the existing front dwelling upon completion of the proposed addition be and is hereby GRANTED.

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 1442 MACE AVENUE

SEE PAGE 5 & 6 OF THE CHECKLIST FOR additional required information

SUBJECT AND NAME: MURDER SUBDIVISION

ALL BOOKS: 1910-1912 MAP SECTION: _____

CITY: D.C. COUNTY: D.C.

OWNER: S. J. ADAMS & SONS

Vicinity Map
Scale: 1"=1000'

LOCATION INFORMATION

Councilman's District:

Election District: 15th

1"=200' scale maps: 40

Zoning: BB-55

Lot size: 8,825 square feet

10,980 acreage

SEWER: ☒ WATER: ☒

Chesapeake Bay Critical Area: ☒

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

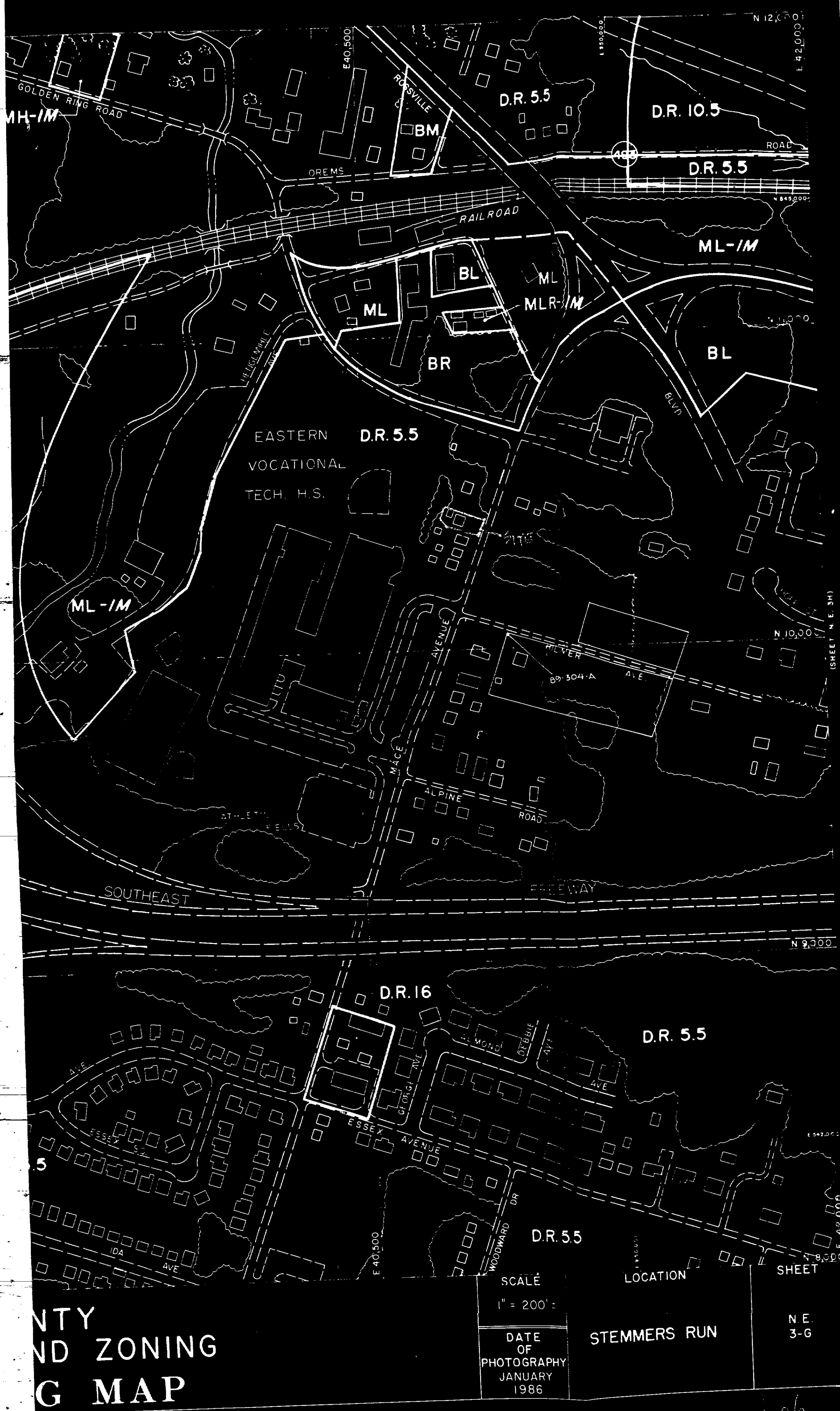
North

date: 10/1/90

prepared by: AJH/C

Scale of Drawing: 1"=50'

91-257-A
BUTLER



RE COUNTY
INING AND ZONING
APHIC MAP

SCALE	LOCATION	SHEET
1" = 200' ±	STEMMERS RUN	N.E. 3-G
DATE OF PHOTOGRAPHY JANUARY 1986	91-259-A	